

9525.1240 DAY TRAINING AND HABILITATION AGREEMENT.

Subpart 1. **Agreement contents.** An agreement must be entered into by the day service provider, the ICF/DD whose residents will receive day training and habilitation services under the agreement, and the county where the ICF/DD is located, as specified under Minnesota Statutes, section 252.45, clause (4). This agreement must be completed annually on forms provided by the commissioner and must include at least the information in items A to E:

A. the number of hours of day training and habilitation services provided per day, excluding transportation to and from the location of the ICF/DD, which will be considered as a full day;

B. the approved maximum number of days per year medical assistance reimbursable services will be available;

C. the day service provider's months of operation during which day training and habilitation services are provided;

D. a statement of payment rates which have been approved by the commissioner under Minnesota Statutes, section 252.46;

E. respective duties and responsibilities of the county board, the day service provider, and the ICF/DD which include:

(1) the provision of, or arrangement and payment for transportation by the day service provider for its clients to and from the day service provider's service site;

(2) participation of the day service provider and the ICF/DD in the development of each resident's individual program plan in accordance with the goals in the resident's individual service plan;

(3) the ICF/DD's duty to notify the day service provider within 60 days of any change in a resident's status. A change in a resident's status includes eligibility for medical assistance, medical conditions, medications, special diets, and behavior;

(4) the day service provider's compliance with parts 9525.1200 to 9525.1330 to be eligible for medical assistance reimbursement;

(5) day service provider billings for services provided to clients receiving medical assistance which must not be greater than billings for the same service provided to any other client unless authorized through a special needs rate as provided by Minnesota Statutes, section 256B.501, subdivision 8; and rules adopted thereunder;

(6) [Repealed, L 1997 c 248 s 51]

(7) compliance by the day service provider with the auditing and surveillance requirements under parts 9505.2160 to 9505.2245 and applicable to providers of medical assistance;

(8) compliance by the day service provider with parts 9525.0004 to 9525.0036; Minnesota Statutes, sections 245A.01 to 245A.16 and 252.28; and Code of Federal Regulations, title 42, sections 483.410(d) and 483.440;

(9) monitoring by the county board of service delivery to each client; and

(10) the county board's assignment of accountability for expected outcomes of service delivery to the ICF/DD or the day service provider.

Subp. 2. **Agreement submission, termination, or new agreements.** The county board shall submit a copy of each completed agreement to the commissioner by January 1 of each year and within 60 days of the commissioner's approval of revised rates or rates for a new day service provider. The county board shall notify the commissioner within 60 days if the agreement in subpart 1 is suspended or terminated. The commissioner shall not pay for services provided during any period in which there is no agreement in effect or during which the agreement in effect does not comply with subpart 1.

Statutory Authority: *MS s 256B.092; 256B.501*

History: *10 SR 68; L 1987 c 333 s 22; 18 SR 2244; L 1997 c 248 s 51; L 2005 c 56 s 2*

Published Electronically: *October 16, 2013*